

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

CENTRAL LABORERS' PENSION, WELFARE AND ANNUITY FUNDS,

Plaintiffs,

VS.

Case Number: 19-1026-SMY

**H&M BACKHOE SERVICE, INC.,
MARY EITZENHEFER, individually,
And GREGORY EITZENHEFER,**

Defendants.

NOTICE OF VOLUNTARY DISMISSAL, WITHOUT PREJUDICE

COME NOW, plaintiffs, **Central Laborers' Pension, Welfare and Annuity Funds**, by and through their attorneys, Kelly & Kelley, LLC, and hereby submit to this Court this Notice of Voluntary Dismissal, without prejudice.

By: /s/ Thomas R. Kelley
Thomas R. Kelley
#6313210

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PROOF OF SERVICE

I hereby certify that on September 22, 2020 I electronically filed this Notice of Voluntary Dismissal, Without Prejudice with the Clerk of the Court using CM/ECF, notification will be provided through the CM/ECF system to the following:

There are no registered participants.

A copy this Notice of Voluntary Dismissal was served upon the non-registered participants by enclosing same in an envelope addressed to such parties as indicated by the pleadings herein, with postage fully prepaid, and by depositing said envelope in a U.S. Post Office mail box in Belleville, Illinois on the 22nd day of September, 2020.

H&M Backhoe Service
c/o: Terry Neubauer
955 Lincoln Highway
Fairview Heights, IL 62208

Greg Eitzenhefer
1522 W. Morgan St.
Swansea, IL 62226

Mary Eitzenhefer
1522 W. Morgan St.
Swansea, IL 62226

/s/ Thomas R. Kelley